

## WARREN COUNTY BOARD OF SUPERVISORS

**COMMITTEE:** **PUBLIC SAFETY** (*INCLUDING FIRE PREVENTION & BUILDING CODES, OFFICE OF EMERGENCY SERVICES AND SHERIFF AND COMMUNICATIONS*)

**DATE:** **OCTOBER 23, 2008**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS VANNESS  
BENTLEY  
O'CONNOR  
HASKELL  
STEC  
GIRARD

**COMMITTEE MEMBERS ABSENT:**

SUPERVISOR BELDEN

**OTHERS PRESENT:**

BRIAN LAFLURE, FIRE COORDINATOR/DIRECTOR OF THE  
OFFICE OF EMERGENCY SERVICES  
AMY MANNEY, DEPUTY DIRECTOR OF THE OFFICE OF  
EMERGENCY SERVICES  
KAREN PUTNEY, ADMINISTRATOR OF FIRE PREVENTION  
& BUILDING CODE ENFORCEMENT  
TRISH NENNINGER, SECOND ASSISTANT COUNTY  
ATTORNEY  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &  
FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISOR STRAINER  
SUPERVISOR KENNY  
JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

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Mr. VanNess called the meeting of the Public Safety Committee to order at 9:31a.m.

Motion was made by Mr. Stec, seconded by Mr. O'Connor and carried unanimously to approve the minutes from the September 25, 2008 meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Brian LaFlure, Fire Coordinator/Director of the Office of Emergency Services (OES), who distributed copies of the OES Agenda to the Committee members, a copy of which is on file with the minutes. Mr. LaFlure stated that the pending item which addressed the June 30, 2008 term expiration date for the appointments of the Emergency Medical Services (EMS) Advisory Board would remain pending until the next Committee meeting. Mr. LaFlure apprised that he had met with the EMS Coordinator and staff and a list of potential candidates had been forwarded to him for review.

Mr. LaFlure presented the second draft of the organizational chart for his Department and explained that this version included more detail than the first draft. In an effort to improve the chart, he stated that the next version would include a directory which would provide definitions for acronyms and abbreviations.

Commencing the Agenda review, Amy Manney, Deputy Director of the Office of Emergency Services, presented a request to increase Capital Project No. H254.9550 280 - Fire Training Center, in the amount of \$50,000, with the source of funding to be transferred from A.9950 910 - Transfers - Capital Projects.

Motion was made by Mr. Girard, seconded by Mr. Haskell and carried unanimously to approve

the request to increase Capital Project No. H254.9550 280, as outlined above, and to refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Mr. VanNess apprised that the subcommittee for the Training Center who met and both Warren and Washington Counties had agreed to forego the \$50,000 for the current budget year. Responding to an inquiry from Mr. Haskell, Mr. VanNess stated that the current reserve funds from the grant were sufficient to enable continued progress on the Training Center.

Agenda Item 2, Mr. LaFlure advised, pertained to the Radio Amateur Civic Emergency Service (RACES) program and explained that RACES was an organization recognized at both the Federal and State levels and was comprised of a group of amateur radio operators who provided assistance in times of disaster. He said the local group had not been active for a number of years and he had been approached to reactivate the service group. Mr. LaFlure stated that he had met with local individuals and with the State Officer for RACES, and as a result, the group had been reactivated and both a Chief and Deputy Officer had been assigned to the Unit. Mr. LaFlure apprised that the activation of the RACES group required no funding or action from the County; nor were they a County entity. However, he said, they would be listed as the Warren County RACES Unit. He stated there were two major advantages of the program which included access to radio equipment with advanced distance capabilities, and the County's ability to respond affirmatively to grant application questions regarding the existence and status of a RACES Unit in Warren County. He asserted that the Warren County Unit was a very dedicated group and 30 individuals had signed up, and he noted that a typical group consisted of 10-12 members. The first meeting of the group was set for today, he said.

Mr. LaFlure assessed that a small room on the lower level of the Municipal Center which had previously been assigned for same would be used. He stated that the existing equipment was not new; however, he said, it was in good condition and he had received approval from Frank Morehouse, Superintendent of Buildings, to make the necessary repairs.

Mr. VanNess asked Mr. LaFlure to provide a list of names of the RACES Unit members and Mr. LaFlure responded that he could do so after applications were verified at today's RACES meeting.

Ms. Manney presented a request to transfer funds in the amount of \$9,523 from the Appropriated General Fund Balance to the Fire Prevention and Control Code Nos. A.3410.410 - Supplies, and A.3410.470 - Contract, as a result of a hazardous material (HAZ MAT) incident where the insurance payments received by the County had not been transferred to the appropriate expense account from which the Fire Department and HazMat team would be paid.

Motion was made by Mr. Bentley, seconded by Mr. Haskell and carried unanimously to approve the request to appropriate general fund unappropriated surplus monies as outlined above, and refer same to the Finance Committee. *A copy of the resolution request is on file with the minutes.*

Mr. LaFlure addressed Agenda Item 4, and stated he had proceeded with the search to fill the position of Third Deputy Fire Coordinator and had received three resumes, all of which presented very qualified candidates. He said that the applications would be brought before the Fire Advisory

Board, and a recommendation would be made to this Committee at the next meeting.

Moving on to the status of the Fire Training Center, Mr. LaFlure informed the Committee that a meeting with the LaBerge Group, the Engineers and Architects assigned to the project, had been held, and it was determined that the Department of Environmental Conservation (DEC) would confirm the wetland boundaries that had been marked by the contractor, and the LaBerge Group would then determine the presence of any fatal flaws and communicate same to the OES. Mr. LaFlure added that he would report any fatal flaws to the Board within 60 days.

Patricia Nenninger, Second Assistant County Attorney, stated that her Office had confirmed with the LaBerge Group that grant funds were still available, and had recommended the use of said funds. She further stated that LaBerge had recognized the current status of the project and encouraged the County to make a determination by mid-December with regard to site issues. Mrs. Nenninger said that there were issues with the contract that required resolution and stated that the Warren County Attorney would work with the Washington County Attorney to that end. She noted that Warren County was the lead Agency identified in the grant; therefore, she added, Warren County would distribute the necessary documents required by the LaBerge Group, should both Warren and Washington Counties agree to such arrangement.

Mr. LaFlure stated that he had looked at initial time lines and wetland location drawings in consideration of usable versus non-usable space on the 30 acre site. Subsequent to the initial review, he stated, it appeared that approximately 60% of the land was usable which would be sufficient; however, he said, he would obtain the information in writing for Committee review before a decision to move forward was made.

Mr. VanNess thanked Ms. Nenninger for her dedication and hard work on the project.

Moving to Agenda Item 6, Mr. LaFlure reminded the Committee of the Local Emergency Planning Committee (LEPC) meeting to be held on October 29, 2008 at 9:00 a.m. in the Training Room of the Public Safety Building, and he stated that all Committee members were invited to attend.

Addressing Agenda Item 7, Mr. LaFlure indicated that his Office had been notified that funds were available through the New York State Homeland Security Office for 2008. He stated that the OES had applied for \$109,500 and indicated that Mrs. Manney would present the request.

Mrs. Manney reported that the OES had applied for grant funds from the New York State Office of Homeland Security in the amount of \$109,500. She added that the Sheriff's Office had applied for the grant amount of \$36,500. She requested that the grant applications be combined for a total amount of \$146,000, noting a grant application deadline of October 30, 2008.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the request to submit the grant application as outlined above and the necessary resolution was authorized for the November 21, 2008 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mrs. Manney apprised the Committee of the Hazardous Mitigation Plan Kick-Off meeting to be

held on November 18, 2008 with the 10:00 a.m. session to be located in the Sheriff's Office Training Room, and a 2:00 p.m. session located at the Chestertown Town Hall. She said the sessions would include representatives from both the State Emergency Management Office (SEMO) and Friends of the North Country. Mr. LaFlure added that these representatives would discuss the level of participation that would be required from each Town or Village for the benefit of planning and assigning participants. He stated that a variety of funding sources were available to the County as a result of participation and that participation would directly impact funding opportunities across the State. Further, he recommended that a list of prioritized projects that had been set aside for funding be maintained.

Mr. LaFlure reminded the Committee of the Retirement Party for Marv Lemery, former Fire Coordinator, that was scheduled for November 15<sup>th</sup>. He said that responses could be sent to his Office.

As a final item, pertaining to the use of the leased vehicle issued to Mr. LaFlure, Mr. VanNess stated that he had not prepared the mileage information necessary for review, and therefore would plan to meet with Mr. LaFlure to evaluate the mileage figures in terms of savings, and would present the findings at the next Committee meeting.

Mr. LaFlure noted that at present, the vehicle was not being driven home and was used as an OES Fleet vehicle for County events. Mr. VanNess raised the issue of the equipment in the vehicle which had a value of approximately \$9,000 and Mr. LaFlure stated that the portable, hand held radio and other equipment would be used by the new Deputy Coordinator. Mr. LaFlure reiterated that he would meet with Mr. VanNess to review mileage figures and report back at the next Committee meeting.

Mr. VanNess announced that the OES portion of the meeting had concluded and he extended privilege of the floor to Karen Putney, Administrator for Fire Prevention & Building Code Enforcement, who distributed Agenda packets to the Committee members. *A copy of the agenda is on file with the minutes.*

Commencing the Agenda review, Mrs. Putney stated that there were no changes to the pending items at this time, and all items would be carried forward.

Mrs. Putney stated that Agenda Item 2 pertained to the Monthly Activity Reports and she reported that overall activity year-to-date, as of last Friday, the total number of permits issued was down 6%, and revenue was down 9% for the year. Mrs. Putney explained that she had compiled the figures from other counties for comparison and noted that the number of permits issued in Washington County, as well as the Towns of Queensbury and Moreau, had also declined. She stated that in Warren County, permits for single family homes were down 29% as compared to the 2007 figure.

Concerning Agenda Item 3, Mrs. Putney addressed the vehicle use update and stated that one of the Building Inspectors who previously drove the County vehicle home, had volunteered to begin leaving the car at the work location overnight, despite approval to drive the vehicle home. Mrs. Putney stated that due to the fact that the employee carried out his duties in the Johnsburg, Luzerne, Stony Creek, and Warrensburg areas, and he lived on the east side of Lake George, this

would be an appropriate decision.

Addressing Agenda Item 4A, Mrs. Putney referred to the Budget Performance Report and stated that there would be a shortfall in salaries in the amount of \$2,332.87. She said that JoAnn McKinstry, Deputy Commissioner of Administrative & Fiscal Services, had analyzed the issue and although a salary related error had been found, the amount in question had not yet been resolved. Mrs. Putney stated that there was an \$800 surplus in the sick leave incentive account. Mr. VanNess asserted that there were funds remaining in the uniform account and Mrs. Putney responded that the Inspectors had not yet purchased the necessary footwear.

Mrs. Putney presented a request to transfer funds in the amount of \$2,100 into Code A.3620.442 - Gas and Oil, for gasoline and oil for the vehicle that was purchased in January. Mr. VanNess asserted that the Committee was aware of the vehicle purchase and understood the reason for this request. Mrs. Putney requested the source of funding to be transferred from the Contingent Fund.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the request to transfer funds in the amount of \$2,100 as outlined above, and refer same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

Following further discussion regarding the salary account, Mr. VanNess stated that this would be addressed at next month's Committee meeting.

Mrs. Putney presented a request to transfer funds in the amount of \$100 from Code A.3620.442 - Gas & Oil, to Code A.3620.220 to purchase a digital camera which was available on State contract; however, Mrs. Putney stated, she could purchase a camera locally for significantly less than the State contract amount. The previous camera, she said, was destroyed when the on-duty employee who was carrying it fell down the stairs.

Motion was made by Mr. Haskell, seconded by Mr. Stec and carried unanimously to approve the transfer of funds in the amount of \$100, as outlined above, and refer same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

Mrs. Putney addressed Agenda Item 5A, Fee Schedule Changes, and she stated that her goal was to raise revenues. She compared the figures with those of other Counties and found that Washington County fees were significantly higher than Warren County, and the Town of Queensbury was very close to the Warren County figures after the proposed changes.

Pursuant to the proposed increase for Commercial property, Mrs. Putney apprised the current rate of \$.12 cents per square foot was charged for Commercial property and the same fee for Residential property. She proposed to increase the Commercial fee to \$.15 cents per square foot and raise the fee for a Certificate of Occupancy (CO) from \$25 to \$50. Currently, she said, the residential alteration fee was the same as the fee for new structures, and she proposed a minimum fee of \$50 as it was not reasonable to charge the full fee for those making minor renovations. She stated that she expected this change to stabilize or raise revenue, and that the change would not cause a reduction in revenue.

Mrs. Putney stated the current fee schedule had not addressed pole barns and storage sheds which were currently considered miscellaneous structures issued under the same guidelines as

garages at a flat fee of \$50 or \$75 depending on the bay. She proposed a more reasonable method of charging by square foot, and again, she stated this would stabilize or increase revenue.

She continued that the fee for manufactured homes was currently at a flat fee of \$50, and proposed to increase the fee for manufactured homes with a foundation or capability of same, which raised the number of inspections required on the structure. The proposed increase, she said, would cover the cost of the inspections.

With regard to Schedules B and C, Mrs. Putney stated that the only difference between the two was the addition of the charge for a Temporary Certificate of Occupancy on Schedule C. She proposed to institute a \$25 fee for Temporary Certificates of Occupancy. The fee, she said, would cover the cost of travel and inspection time.

Motion was made by Mr. Haskell, seconded by Mr. Girard and carried unanimously to approve the Fee Schedule changes as outlined above, and the necessary resolution was authorized for the November 21, 2008 Board meeting.

Pertaining to revenues, Mrs. Putney presented a request for a policy change whereby a fee for copies would be implemented. She noted that the Department had not charged fees for copies in the past, and had allowed original documents to be signed out of the Office which resulted in record keeping problems. She stated that under the Freedom of Information Law (FOIL), all County offices could charge .25 cents per page for letter size copies and more for oversized copies.

Mr. O'Connor expressed his support of such a policy and Ms. Putney responded affirmatively when asked if this policy change would ensure that original documents would no longer be permitted to leave the Office.

A discussion ensued.

Mr. VanNess stated that a resolution would not be necessary as the copy fee was covered in a County-wide resolution. Mrs. Nenninger stated that there had been a resolution under FOIL allowing County offices to charge .25 cents per page for copies made and she explained that because the Department had not been charging fees for copies, Mrs. Putney had brought this to the Committee at this time.

Motion was made by Mr. Bentley, seconded by Mr. O'Connor and carried unanimously to approve the request for the policy change, to charge fees for copies, under the FOIL policy, as outlined above.

Mrs. Putney addressed the issue of permit issuance and lead times, for which several complaints had been received from the public. She stated there was currently a backlog which was typical for this time of year. According to Mrs. Putney, due to the use of employee leave time and a change in the review process pertaining to territories which became effective September 8<sup>th</sup>, a backlog had resulted. Subsequent to a comparative analysis, Mrs. Putney reported that the Town of Queensbury had a lead time of two weeks, Moreau was at one and one half weeks, and she noted that Warren County typically had a significantly higher number of permits issued by comparison. She added that the standard lead time in Washington County was two to four

weeks, six weeks in Saratoga County (currently at nine weeks), and two weeks at the State office.

Mrs. Putney apprised that permits were reviewed prior to permit issuance to insure substantial compliance with the New York State Uniform Code. She said she anticipated that her Office could eliminate the backlog through overtime estimated at \$600, which could be transferred from the Sick Leave Incentive fund to the Overtime code. Further, she stated, the Building Inspectors had volunteered to work unpaid overtime at home to address the backlog. Mrs. Putney praised her staff for their outstanding service.

Mr. VanNess reiterated the request from Mrs. Putney, to transfer \$800, the full amount from the Sick Leave Incentive code to the Overtime code.

A discussion ensued and Mrs. Putney summarized that although the liability for the issuance of such permits lies with the Engineers and Architects, said Engineers had not consistently been apprised of the current New York State Code. Mr. Haskell added that even with the knowledge of New York State codes, connection codes, for example, often differed among Municipalities.

Joan Sady, Clerk of the Board, stated that the transfer request could be addressed at the November 7, 2008 Adjourned Board meeting, and urged Mrs. Putney to prepare the necessary request.

Motion was made by Mr. Stec, seconded by Mr. Girard and carried unanimously to approve the request to transfer funds in the amount of \$800 as outlined above, and the necessary resolution was authorized for the November 7, 2008 Adjourned Board meeting. *A copy of the Request for Transfer of Funds is on file with the minutes. Note: Subsequent to the meeting, it was determined that this transfer would be presented at the November 21, 2008 Board meeting and the Treasurer's Office would make the necessary adjustments.*

Mrs. Sady confirmed the reason for the shortfall in the 2008 salary code was due to the fact that the 2008 salary adjustment for two Building Inspectors had not been made.

A motion was made by Mr. Haskell, seconded by Mr. Girard and carried unanimously to transfer funds in the amount of \$2,335, from the Contingent fund to A.3620 110 ( Building and Fire Code - Salaries - Regular), as outlined in Agenda Item 4A, and refer same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

In recognition of many significant changes in the Office of Fire Prevention & Building Code Enforcement over the past several months, Mr. VanNess commended and thanked Mrs. Putney for her hard work and the efforts of her staff.

With no further business to come before the Public Safety Committee, on motion made by Mr. Stec and seconded by Mr. Bentley, Mr. VanNess adjourned the meeting at 10:34 a.m.

Respectfully submitted,

Joanne Collins  
Legislative Office Specialist